

May 26, 2021

President Stonecipher announced that the Council is still abiding by Governor Inslee's Stay Home, Stay Healthy order, and as a result, City Council meetings will continue to be held remotely with all meetings scheduled at 6:30 p.m. each Wednesday, except the fourth Wednesday of the month when the meeting is scheduled at 12:30 p.m. She encouraged citizens to submit comments and concerns by email to council@everettwa.gov prior to the meeting or to call the Council office at 425-257-8703. President Stonecipher stated that live public comment will be accepted one-half hour before the start of the meeting by calling 425.616.3920, Conference ID 781 855 40#. If citizens have difficulty calling in or connecting, please contact dwilliams@everettwa.gov. Individuals may also call 425.616.3920 to listen to the Council meetings, Conference ID 724 887 726#. Citizens are encouraged to view meetings live on Comcast Channel 21, Frontier Channel 29, and on the City website at www.everettwa.gov/citycouncil.

The regular meeting of the Everett City Council was called to order at 12:32 p.m., May 26, 2021, Council President Stonecipher presiding. Upon roll call, it was found that Council Members Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, and Tuohy were present. Mayor Franklin was excused.

MAYOR

Mayor Franklin was excused.

COUNCIL

Council Member Vogeli announced that she received a second dose of the Moderna Covid-19 vaccine yesterday. She reported that she attended the Everett Housing Authority Board meeting on Monday afternoon, and that she plans to attend the Snohomish County Tomorrow Steering Committee meeting this evening. Council Member Vogeli spoke about the need for public restrooms and hand-washing facilities in the city of Everett and asked if any of her colleagues would be interested in working with her to secure funding and determine placement in the downtown and elsewhere in the city.

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President Stonecipher stated she is also interested in the placement of public restrooms, and that she would like to discuss further offline.

Council Member Roberts stated he would be willing to look at the installation of public restrooms, and he also acknowledged that others have raised the concern in the past about not having a day facility. Council Member Roberts reported on his attendance today at the Waterfront Place Apartments ribbon cutting ceremony. He also provided an update on the Sound Transit realignment process and invited council members to contact him for additional information.

Council Member Murphy reported on his attendance at the Council of Neighborhoods meeting earlier this week. He also commented on his attendance at the Waterfront Place Apartments ribbon-cutting ceremony. As liaison to the Police Department, Council Member Murphy recognized and thanked Deputy Chief Mark St. Clair, who is retiring this Friday, for his 42 years of service in law enforcement of which 37 years has been with Everett Police Department. Council Member Murphy also announced that the Washington Association of Sheriffs and Police Chiefs (WASPC) has officially and unanimously approved the reaccreditation application for the Everett Police Department.

Council Member Tuohy reported on her attendance at the Casino Road Stakeholders meeting yesterday. She also stated that she represented the City at the ribbon-cutting ceremony to celebrate the grand opening of Everett's first waterfront housing at the new Waterfront Place Apartments. She noted that 60% of the apartments have been leased and four more commercial leases have been negotiated.

President Stonecipher reported on her attendance at the Northwest Neighborhood Association meeting yesterday. She also reported on discussions that are being held with Administration relating to the reopening of in-person City Council meetings. She noted the Council's preference is to return to a hybrid mode, and that Administration is looking at technology solutions. President Stonecipher also added that the City is awaiting guidance from the Governor in the hope that on June 30 there may be some new information that may provide the City with definitive guidelines.

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ADMINISTRATION UPDATE

Lori Cummings, Administration, thanked Council Member Vogeli for bringing up the need for public restrooms. She stated that Administration recognizes the need and the timing is good to begin further discussions with Council and the community. Lori stated that Administration would report back to Council with additional information next week. She also stated that, on behalf Mayor Franklin, the Mayor would like to express her sincere gratitude and appreciation for Deputy Chief Mark St. Clair's 37 years of service and for his dedication to the City.

Dan Eernisse, Economic Development, provided an update on the ongoing construction boom that is currently happening in downtown Everett, and as a result, the downtown location for the Sorticulture event will move from Wetmore Avenue to Colby Avenue, between Hewitt and Everett Avenues. If successful, he noted this may become a long-term location for Sorticulture in the future. He announced the schedule for the Sorticulture event as follows: Colby Avenue will be closed Thursday morning, June 10; Colby will be open to the public on Friday, June 11, for three days; and the street will be reopened again on Sunday evening, June 13. The Farmers Market, located on Wetmore Avenue, and Sorticulture will be operating simultaneously on Sunday.

CITY ATTORNEY

City Attorney David Hall thanked Deputy Chief St. Clair for his years of service.

The minutes of the May 19, 2021, City Council meeting were approved as printed.

PUBLIC COMMENTS

Deb Williams, Council, stated there were no written comments submitted.

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The following individuals provided public comment:

- Rudy Ortega
- Willie Russell

CONSENT ITEMS:

Moved by Council Member Roberts, seconded by Council Member Bader, to approve the following consent items:

RESOLUTION – CLAIMS

To adopt Resolution No. 7648 authorizing claims against the City of Everett in the amount of \$2,322,879.27 for the period of May 8, 2021, through May 14, 2021.

**AGREEMENT – TOURISM PROMOTION AREA GRANT FOR 2021
SORTICULTURE EVENT**

To authorize the Mayor to execute the contract with Snohomish County TPA to receive a \$15,000 grant in support of the 2021 Sorticulture event.

**AGREEMENT – CLASSROOM PRESENTATIONS IN THE EVERETT WATER
SERVICE AREA**

To authorize the Mayor to sign a Professional Services Agreement with Triangle Associates, Inc., to provide classroom presentations in the Everett Water Service Area for a maximum amount of \$460,000.

Roll was called with all council members voting yes.

Motion carried.

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ACTION ITEMS:

COUNCIL BILL 2105-16

FIRST, SECOND, THIRD AND FINAL READING:

AN ORDINANCE relating to Illegal Drugs, amending Ordinance Nos. 1653-89 and 1145-85, as previously amended

Flora Diaz, Legal, presented information on the proposed emergency ordinance related to Engrossed Senate Bill 5476, which was the State Legislature's response to the State v. Blake Washington State Supreme Court case. She stated the State emergency statute took effect immediately upon the Governor's signing on May 13, 2021, and the proposed ordinance is being presented to amend the current ordinance necessary to adopt the State legislative changes.

Moved by Council Member Bader, seconded by Council Member Roberts, that this is declared to be the third and final reading of Council Bill No. 2105-16.

Council Member Bader inquired about the financial impacts and requested a report come back to Council within six months from today.

Council Member Bader also inquired about the "three strikes" element of the statute, and how in practice a police officer would determine if it was a first offense.

Considerable discussion took place. Flora responded that the Legislature did not address this in the bill, and that the Police Department is currently looking at various solutions.

Council Member Roberts requested the Council receive ongoing information as appropriate in the future.

Council Member Murphy asked if the proposed ordinance qualifies as an emergency, and if not, would it be more prudent to go forward with a first, second, and third reading.

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Flora responded that Section 26 of Engrossed Senate Bill 5476 states that Sections 1 through 11 and 13 through are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions to take effect immediately. As a result, she stated that Legal is requesting the City Council find that this ordinance is an emergency ordinance necessary for the immediate preservation of the public peace, health, or safety.

The City Clerk was directed to call the roll for the final disposition of the ordinance.

AYES:	Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS:	None
EXCUSED:	None

Ordinance 3805-21 adopted.

RESOLUTION – SET PUBLIC HEARING DATE FOR PROPOSED VACATION

Moved by Council Member Bader, seconded by Council Member Murphy, to adopt Resolution No. 7649 setting June 23, 2021, at 12:30 P.M., as the date and time to hold the public hearing to determine the petition for the proposed vacation of portion of Summit Avenue lying north of Everett Avenue and a portion of the east-west alley lying east of Summit Avenue and north of Everett Avenue.

Roll was called with all council members voting yes.

Motion carried.

AGREEMENT – 2021 WATER POLLUTION CONTROL FACILITY TRICKLING FILTER MEDIA REPLACEMENT PROJECT

Moved by Council Member Roberts, seconded by Council Member Bader, to award the contract for the 2021 WPCF Trickling Filter Media Replacement project to McClure and Sons, Inc. in the amount of \$1,212,690.49, which includes Washington State Sales Tax.

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Council Member Murphy noted that the bid for this project came in at about \$140,000 below the engineer's estimate.

Roll was called with all council members voting yes.

Motion carried.

COUNCIL BILL 2105-14

THIRD AND FINAL READING:

AN ORDINANCE creating a Special Improvement Project, entitled "17th Street Interceptor Upgrades," Fund 336, Program 020

Moved by Council Member Bader, seconded by Council Member Roberts, that this is declared to be the third and final reading of Council Bill No. 2105-14.

The City Clerk was directed to call the roll for the final disposition of the ordinance.

AYES:	Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS:	None
EXCUSED:	None

Ordinance 3806-21 adopted.

COUNCIL BILL 2105-15

THIRD AND FINAL READING:

AN ORDINANCE creating a Special Improvement Project, entitled "Port Gardner Bay Outfalls Water Quality Treatment Retrofit," Fund 336, Program 019

Moved by Council Member Tuohy, seconded by Council Member Bader, that this is declared to be the third and final reading of Council Bill No. 2105-15.

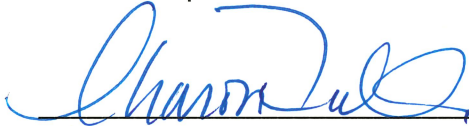
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The City Clerk was directed to call the roll for the final disposition of the ordinance.

AYES: Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS: None
EXCUSED: None

Ordinance 3807-21 adopted.

The City Council meeting was adjourned at 1:34 p.m.



City Clerk

Read and approved as printed.



Council President